FIRED AT JUDGE WHILE HE LAY DYING ON FLOOR

Floyd Allen Made Target of Mortally Wounded Man.

ATTEMPTED, ALSO, TO SHOOT FOSTER

Tendency of Defense Is to Show That Sheriff Webb Began the Affray-Prosecution Expects to Conclude Presentation of Its Testimony To-Day.

was after the shooting. He saw pep-uty Clerk Woodson Quisenberry load a pistol. On the afternoon before the tragedy Whitesaw Floyd Allen scated on top of a bench in the rear of the

Heard Shots Fired. A. Fulton Green, deputy treasurer of Carroll county, was in the courthouse, leaning on the southwest corner of the bar. The verdict half been brought in bar. The verdict had been brought in when he entered. He saw Flovd Allen with a paper in his hand, and saw him exchange steadfast looks with Sidna Allen, who was near the door to the judge's office. John F. Moore was standing near Sidna. As soon as Floyd Allen apparently reached for his pistol. Green left. On his way out he heard several shots fired. No one was between the prisoner and Commonwealth's Attorney Foster.

Many questions about the interchange of intense glances between the Allen brothers were asked by Judge Oglesby on cross-examination. The witness

exhibited to the jury with the idea of showing that the witness could not have seen just where Floyd was look-

showing that the witness could not have seen just where Floyd was looking.

A wounded juror, Christopher Columbus Cain, came next. He was seated in about the fourth chair from the clerk's desk. When Floyd Allen made his femark and threatening demonstration, cain arose and started for the jury room. The crowd delayed him, and, looking back, he saw Floyd Allen with his pistol apparently leveled directly at him. Cain turned to flee, and was shot in the back. An instant later another bullet struck him in the leg. Two or three shots were fired from near the door to the judge's office before he was wounded. After reaching the door to the judge's office before the was wounded. After reaching the door to the judge's office before the was wounded. After reaching the council as to whether the Governor Foss the hearing is directly contrary to all other witnesses who have testified. Cain stuck to his belief on redirect examination. Some more wrangling between attortheeys brought from Judga Staples the (Continued on Eighth Page.)

Shaffer, a piece of Mr. Crothers and the late Librarian under his administration in the district of New Orleans, notwithstanding the heavy bandies of heavy handleap of the rains, was declared to night to be more reassuring, though the danger of leve trouble along stretches just above Jackson Barracks and in the vicinity of the big plant of Richeson.

HEARING WILL BE PRIVATE

This Much Has Reen Decided in Came of Richeson.

HEARING WILL BE PRIVATE

This Much Has Reen Decided in Came of Richeson.

Boston, Mass., May 6.—In case the petition of Clarence V. T. Richeson for Clemency is referred to the Execut very Clemency and the labor of the danger

INQUIRY STARTS TO-DAY

udge Archbald May Not Be Permitted Judge Archbrid May Not He Permitten
at Hearing of Charges.
Washington, May 9.—Investigation
of charges against Judge Robert W.
Archbaid, of the Commerce Court, will
be undertaken to-morrow by the
House Committee on Judiclary.
Papers in the case sent to the committee from the Department of Justice
by direction of President Taft will
be examined, and it is expected that
E, J. Williams, of Scranton, Pa., will
appear as the first witness of the inquiry.

have conferred with the prospective purchasers.

W. P. Boland, president of the Marion Coal Company, of Scranton, Pa., who first called attention to the negotiation which led to the charges against Judge Archbaid.

B. H. Meyer, Interstate Commerce Commissioner, whom President Taff says brought the charges to his attention.

SENATE PASSES BILL

MRS. GRACE INDICTED

Elements Against Those Wrecked on Trestle and John Jacob Astor Gives Fighting Flooded Mississippi River.

FURTHER RISE IS PREDICTED

Stream Has Been at Flood Engine and Five Cars Are De-Stage for Six Weeks, and Property Loss Amounts to Many Millions of Dollars. Levee System Is Ruined.

The Flood Situation.

From Vicksburg, Miss., to New Orleans, the Mississippi River is from half a foot to two and a half feet higher than ever known.

An additional rise of one foot from New Orleans north to Baton Houge is predicted for this week by the Wenther Bureau.

The crest is expected at Baton Rouge within two days and at New Orleans by Saturday or Sunday.

There has been loss of life within the past twenty-four hours, but the number is unknown.

Heavy rains fell at intervals over the affected area to-day.

A small break occurred this af-teration in the levee at the town of Meiville, I.a., on the Atchafalaya

of Melville, I.a., on the Atchafalaya River, but was quickly repaired. Other danger points on the Mississippi are: Baton Rouge, Bonnet Carre, Morrison, Piaquemine, Scotts Landing, Cypress Hall, New Roads and the third district, which embraces New Orleans.

Many parishes are completely flooded. Thousands of persons are homeless; other thousands are many

The Mississippi has been at flood stage from Cairo to the Guir for nearly six weeks. The Federal government, in addition to having

sion at New Orleans, although the government engineers express the belief that the levees there will hold. The entire city lies from four to seven feet below the tops of the levees, which are holding the river within bounds.

matter in shooting him over the possible motive in shooting him over the case. She always has denied all a clarges against her and declares she thinks a burgiar attacked him. Offace is at his mother's home in Newman, Ga., and although several psycians have said he could not replace the case of the motive of the site of the state of the several psycians have said he could not replace the case of the several psycians have said he could not replace the case of the several psycians have said he could not replace the case of the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the several psycians have said he could not replace the psycians have sa

sick room.

Another visitor to-day was Mrs.

Cecil E. Ewing, formerly Miss Lynn
Shaffer, a niece of Mr. Crothers and
State Librarian under his administration.

HEAVYRAINSFALL, REUNION SPECIAL BULK OF FORTUNE ADDINGTODANGER MEETS DISASTER IS LEFT TO HIS SON

Nine Lives Are Lost.

OLD VETERANS AMONG INJURED

railed, Rolling Down Embankment, While Running Thirty Miles an Hour. Tourist Sleepers Reduced to Splinters.

Mrs. Charles Folmes, Big Springs, Texas. J. S. Downing, Atlanta, Ga., presi-dent of the Downing Locomotive

Draft Appliance Company.
W. A. Wood, Meridian, Miss., enstineer. Two children aged three and five,

unidentified.
One woman, aged about thirty-five.

sections teamer Minia, which refleved the Mackay-Bennett in the work of searching for the Titanic's dead, reput to the dead of the Mackay-Bennett in the work of feet at the feet at the feet of the morning with flags feet at the feet of the morning with flags feet at the feet of the morning with flags feet at the feet of the morning with flags feet of the reflect of the morning with flags free river, ing to-people covered a large area. The bodies were found widely separated, the last two picked up being forty-five miles apart. The Minia wired every passing steamer daily inquiring for bodies.

Among the bodies brought ashore was that of Charles M. Hays, president of the Grand Trunk Railway. Officials of the railway took charge of the body, and it was taken to his the feet of the body, and it was taken to his the feet of the body and it was taken to his the feet of the feet of the body and it was taken to his the feet of the feet o

Cars Seized for Advance to Border

Cheyenne, Wyo., May 6.—Orders were received by the Colorado and Southern Railway to-day to seize all empty flat, box and stock cars, no matter to whom consigned, and send them to Fort D. A. Russell for shipping horses and equipment of the Ninth Cavalry, which is expecting orders to move to the Mexican horder at any hour. Thirty-five stock cars have been delivered airendy. It is expected that fifty nirendy. It is expected that fifty more will be procured before mora-ing. Scouts from the fort have been all day rounding up the men,

Widow Only \$100,-000 Outright.

\$5,000,000 LEFT TO HER IN TRUST

She Will Receive Interest on This and Have Use of Fifth Avenue House, but if She Remarries She Loses Both-First Wife Not Mentioned.

Among Bodies Recovered is That of Charles M. Hays.

Halifax, N. S., May 6,—The cable steamer Minia, which relieved the Mackay-Bennett in the work of searching for the Titanic's dead, reput to feet at half-mast. The Minia met much at half-mast. The Minia met much heavy weather during her trip and his son.

of this fund to go to William V. Astor, his son.

"4. To this widow, Madeleine Talmage Force Astor, an outright legacy of \$100,000, payable immediately pron the testator's death, and all horses and other livestock and all carriages and harness and stable furanture, and all provisions and supplies belonging to the testator or subject it chis disposal at the time of his death, excepting such of said articles as are otherwise above disposed of.

"These provisions for his widow are four bishops, the conference probably four bishops, the conference probably

"These provisions for his widow are made in lieu of dower and all other claim upon his estate, and until a trust fund of \$5,000,000 is set up, the executors are directed to pay her an income at the rate of \$2,000,000 a year.

"5. A trust of \$5,000,000 for the benefit of his daughter. Ava Alice Muriet Astor. So much of the income as the trustees shall determine to be proper is to be applied to her support, maintenance and education during her minority, and the balance of the income to be accumulated. Upon attaining the age of twenty-one years the daughter is to receive this fund with, its accumulations absolutely. In case of is to receive this fund wit cumulations absolutely. In her death under twenty-one goes according to her will and in de-fault of the will, then unto her issue, if any, and in default of a will or is-

(Continued on Seventh Page.)

FLEET'S ITINERARY

Germans Are Coming to Repay Naval Visit. Washington, May 6.—The itinerary

TO SAFEGUARD OCEAN TRAVEL

SEEKS AUDIENCE WITH KAISER

ow to the commissioners by repre-entatives of the ministry for foreign

sentatives of the ministry for foreign affairs, and the ministry of the interior, and another Wednesday by Mr. Goldberger.

The commissioners will be unable to obtain an audience with Emperor William on account of his absence in

TAFT APPROVES PLAN

Send Message to Congress on Pension-ing of Employes. Washington, May 6.—President Taft day sent to Congress a message

of Seventy years on annuittee equal to half-salary with a maximum limit of \$690.

The plan provides that employes entering the service after adoption of the superannuation plan.

Present employes would be assessed

WILL ELECT FOUR BISHOPS Conference of A. M. E. Church to Last Three Weeks.

"These provisions for his widow are four bishops, the conference probabi

Harrisburg, Pa. May 6.—During flight here to-day, J. B. McCalley, amatour aviator, fell with his mach forty feet and was probably fata injured.

Judge Mahey Dead.
Toronto, May 6.—Judge J. P. Mahey, chairman of the Railways Commission of Canada, died this afternoon foillowing an operation for appendicitis.

ROOSEVELT WINS IN MARYLAND BY NARROW MARGIN

He Captures 66 Delegates to 63 for President Taft.

CHAMP CLARK HAS AN EASY VICTORY

Colonel's Battle Is Hot and Close, and It Takes Prince Georges County's Five Votes Finally to Assure Him of State's Delegation to National Convention.

Baltimore, Md., May 6-Maryland's sixteen votes in the antional conven-

Democratic-Clark, 72; Wilson, 44

Majority necessary to control bound to choose a delegation to the

the President suddenly ahead

It was Prince Georges county that decided. Both sides claimed its five votes until conclusive returns shortly after midnight placed it in the Roose-

bined. He defented Wilson by nearly

timore was a victory for the Demo cratic organization.

The plan provides after adoption of the superannuation plan shall make annual contributions to provide a retirement fund.

The commission estimates that the plan would cost the government \$227.000 a year during the next twenty years, and that the saving during the succeeding sixteen years would caualize it. In the Republican primary here, the

the Democratic fight might be settled n the State convention. Had none of the Democratic candidates won a majority of the delegates, the delegates instructed for the candidate with the smallest following would have been free to swing to one of the other candidates and control the convention after the first ballot.

The popular preferential vote was est sight of to-night, and probably will not be tabulated to-morrow. Under the Maryland law, the affiliated voters of the two parties instructed the delegates to the State convention by the preference vote of each county. A majority of this vote in a county instructed that county's delegates acordingly.

Badly Split in Arkansas,
Little Rock, Ark., May 6.—Two Republican congressional districts elected contesting delegations to-day, one at Camden, the other at Little Rock, Each met in separate halls and claimed regularity. To-night the Republican League of Arkansas held a massimeeting here. The State Convention will meet tomorrow. To-night's Roosevelt gathering was largely devoted to speechmaking, Caucuses among leaders of Colonel Roosevelt's supporters were frequent during the day, but no definite statement as to their probable action to-morrow would be made by any of them.

The Taft forces control the Stats Central Committee, which met to-night and perfected plans for the (Continued on Third Page.)

(Continued on Third Page.)